

# Gaceta de



# Puerto-Rico.

PRECIO DE SUSCRIPCION 300 REALES

AYUNTAMIENTOS Y CENTROS OFICIALES

\$ 24 anuales, pago por trimestre adelantado

OFICINAS: Se suscribe

## SUSCRIPTORES PARTICULARES

\$ 18 anuales, pago por trimestre adelantado

Anuncios — 15 ctvs. línea, pagos el día de su publicación

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## PERIODICO OFICIAL DEL GOBIERNO

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### PARTÉ OFICIAL

General Orders, HEADQUARTERS DEPARTMENT  
OF PUERTO RICO  
No. 69. San Juan, April 2nd, 1900

Upon the recommendation of the Judicial Board and the Superior Board of Health, the following is published for the information and guidance of all concerned:

I. All cemeteries and all extensions of existing cemeteries hereafter constructed from public funds shall be civil in character.

II. On or before June 30, 1900, each municipality will provide within its limits, at least one civil cemetery, which shall be available for the burial of all who die in the municipality. Graves or lots in such cemeteries may be sold for the interment of the remains of individuals or families, but a sufficient area must be set apart for the free and proper burial of the remains of the poor and friendless. All interments in, or disturbance of the soil of any cemetery now in use, after the above mentioned date are hereby prohibited.

Provided, however, that the Alcalde of any municipality may submit evidence to show, as respects any cemetery in his municipal district, that there is a space in a designated cemetery available for burials, and that interments may be made in such space without disturbing the remains of human beings previously buried therein. This proof will be forwarded to the Military Governor, and if, after investigation by the Superior Board of Health, the facts as claimed shall be established, then a special exception will be made by the Military Governor in the case of the cemetery in question. Applications for special exceptions must be made without delay.

III. It is hereby made the duty of every Alcalde to see that the cemeteries within his jurisdiction are maintained in a decent condition; that human bodies are promptly entombed, as required by law and regulations, and that human remains, when exhumed or removed from vaults, are not left exposed to view, but are buried or otherwise promptly disposed of, as directed by the Superior Board of Health, which Board is authorized to prohibit further interments in any cemetery, if in its judgment the healthfulness of the municipality would thereby be threatened.

IV. Nothing in this order is intended to prevent use for the entombment of the remains of a member of a family in a family vault now existing, or the use of properly constructed and sealed masonry niches, providing that, in the opinion of the Superior Board of Health, such use is not detrimental to the public health.

V. Any municipality may lay out, purchase, hold and own grave yards or cemeteries within the municipal limits, and will have and exercise police jurisdiction over the same. It may survey, plot, map, fence, ornament and otherwise improve all public burial and cemetery grounds, and may sell or convey cemetery lots and enact and enforce rules and ordinances for the use, protection and control of said grounds.

VI. Any church, religious or fraternal organization, or any five or more persons, may associate themselves together, to form a cemetery corporation for the purpose of establishing and owning a cemetery, and the burial or cremation of dead bodies. Such organization shall have such powers and privileges, and shall be subject to such duties, liabilities and restrictions as the laws of Puerto Rico may provide respecting such corporate bodies.

VII. Before any new cemetery is located, or an old one enlarged, a map of the same shall be filed with the Superior Board of Health, and no such location or enlargement shall be entered upon until approval is given by the Board.

VIII. No private cemetery shall be established

within the built up portions of any city, town or village, or where any stream of water or spring may thereby be contaminated.

X. For each cemetery a book shall be kept, in which shall be entered the name, sex, color, late residence, occupation, cause of death, and (if a minor) name of parents, of all persons whose remains are buried in the cemetery. On the first day of each month an exact copy of the last monthly additions to this record shall be transmitted to the Municipal Judge of the District in which the cemetery is located.

XI. Whenever a cemetery is an obstruction to the development of any city or town, it may be declared a nuisance by the Superior Board of Health, and must then be closed and discontinued as a burial place.

XII. It shall not be lawful to open any street, lane, alley, railroad, tramway, trail or public road through any burial ground or cemetery in Puerto Rico.

XIII. All organized cemetery companies may appoint watchmen who, together with superintendents, gardeners and agents, employed within the cemetery grounds, upon taking an oath of office similar to that required of policemen, shall exercise all the powers of police officers within the cemetery and within 100 metres space outside the boundary of said grounds, in the arrest of persons who are known to have violated the laws for the protection of cemeteries.

XIV. Lots may be sold in any cemetery for burial purposes or for construction of vaults or tombs, which shall be at the full disposal of the owners, for burial purposes, according to the regulations of each cemetery, so long as the cemetery exists as such. Such lots can be disposed of as other property, but may not be seized for debt; and the cemetery company shall, at all times, grant to the rightful owner free admission to any burial lots, and free privilege to ornament and improve the same in accordance with the bylaws of the cemetery company or the municipality.

XV. In every cemetery there must be provided a suitable building where bodies can be deposited during inclement weather, awaiting burial.

XVI. It is forbidden to mutilate, disinter or remove from the place of sepulture the remains of any human being, without authority of law or to wilfully and maliciously destroy, mutilate, deface, injure or remove any tomb, monument, gravestone or other edifice placed in any cemetery or graveyard appropriated to and used for the interment of human bodies in Puerto Rico, or to wilfully and maliciously injure, destroy or remove any fence, wall or other work of protection or ornament, plant, tree or shrub growing in such cemetery or graveyard.

Any person guilty of the violation of this paragraph shall, upon conviction thereof, be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) United States Currency, or imprisonment for not less than sixty (60) days nor more than two (2) years, or by both such fine and imprisonment as the Court may direct.

XVII. The District Courts instituted by General Order, No. 114, current series, from these Headquarters, shall have jurisdiction in cases arising under this Order, subject to the provisions of General Orders, No. 88, current series, these Headquarters.

BY COMMAND OF BRIGADIER GENERAL DAVIS:

W. P. HALL,  
Adjutant General.

Ordenes Generales, CUARTEL GENERAL  
Departamento de Puerto-Rico.  
No. 69. San Juan, Abril 2, 1900.

A propuesta de la Junta Judicial y la Superior de Sanidad, publicase la siguiente para conocimiento y gobierno de los interesados:

I. Todos los cementerios y ensanches de los mis-

mos que en adelante se realicen con fondos públicos tendrán carácter civil.

II. Desde Junio 30, 1900, á más tardar, cada Municipio proveerá dentro de su demarcación, por lo menos un cementerio civil, destinado á la inhumación de los fallecidos en la Municipalidad. Se podrán vender sepulturas ó solares en estos cementerios para el sepelio de los restos de individuos ó familias, pero habrá de reservarse en ellos espacio suficiente para la inhumación gratuita y decorosa de los que mueren sin recursos ni amigos. Se prohíbe por la presente todo enterramiento ó remoción del terreno en los cementerios existentes actualmente, á partir de la citada fecha. Disponiéndose, sin embargo, que los Alcaldes podrán presentar pruebas de que existe espacio disponible en determinado cementerio dentro de sus respectivas demarcaciones donde pueden efectuarse las inhumaciones sin necesidad de remover ó perturbar los restos humanos ya enterrados allí. Estas pruebas se remitirán al Gobernador Militar, y si después de una investigación practicada por la Junta Superior de Sanidad, resultasen confirmados los hechos aducidos, el Gobernador Militar hará una excepción especial á favor de tal cementerio. Las solicitudes para excepciones especiales deberán cursarse sin pérdida de tiempo.

III. Por la presente se impone á todo Alcalde la obligación de cuidar de que los cementerios en su jurisdicción se mantengan con la debida decencia; que las inhumaciones se verifiquen con toda prontitud, según prescriben las leyes y reglamentos, y que al exhumar restos humanos ó removerlos de los nichos, no queden expuestos á la vista, sino que se entierren ó disponga de ellos debidamente, según ordenare la Junta Superior de Sanidad, la cual está autorizada para prohibir nuevos enterramientos en cualquier cementerio, siempre que á su juicio constituyere ésto un peligro para la Municipalidad.

IV. Nada de lo contenido en esta Orden podrá interpretarse en el sentido de prohibir las inhumaciones en bóvedas de familias que existan en los actuales cementerios, ó el uso de nichos de mampostería construidos y tapiados en debida forma, siempre que á juicio de la Junta Superior de Sanidad, tal práctica no reduzca en detrimento de la salud pública.

V. Todo Municipio puede trazar, adquirir, tener y poseer cementerios dentro del término municipal, ejerciendo sobre ellos la debida vigilancia y atendiendo á su limpieza y ornato.

Puede deslinde, delinear, cercar, y dormar y mejorar todos los terrenos ó recintos destinados á sepulturas, enagenar ó traspasar lotes ó solares en ellos, y dictar reglas y ordenanzas para el régimen de los mismos.

VI. Una quincena iglesia, cofradía ó asociación de cinco ó más personas puede constituirse en sociedad para el establecimiento de cementerios ó crematorios. Tales organizaciones gozarán de los privilegios y estarán sujetas á las obligaciones, responsabilidades y restricciones que determinen las leyes de Puerto-Rico para asociaciones de esta clase.

VII. Antes de fijar el sitio para un nuevo cementerio, ó de ensanchar uno viejo, deberá presentarse el correspondiente mapa ó plano á la Junta Superior de Sanidad y no se procederá á la ejecución del nuevo ó ensanche del viejo sin previa aprobación de la Junta.

VIII. No se establecerá ningún cementerio privado ó particular en una Municipalidad, á no ser con la aprobación de la mayoría absoluta del Ayuntamiento en pleno, por lo que respecta al sitio destinado al objeto.

IX. No se establecerán cementerios dentro del casco de una población ni en sitio donde pudiera con ello contaminarse las aguas de algún río, arroyo ó manantial.

X. Para cada cementerio se llevará un libro en el que se asentarán el nombre, sexo, color, última residencia, ocupación, causa de muerte y (si fuese menor) nombres de los padres, de todos los enterrados en el cementerio. El día último de cada mes se remitirá al